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****E-FILED: FEBRUARY 12, 2013****

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

1 **STIPULATION AND [PROPOSED] ORDER**

2 WHEREAS, the deadline to submit rebuttal expert reports is currently set for February 15,
3 2013;

4 WHEREAS, the parties, Plaintiff West Marine, Inc. ("West Marine") and Defendant
5 Watercraft Superstore, Inc. ("Watercraft"), have reached a tentative agreement concerning the
6 settlement of all claims in this action;

7 WHEREAS, in light of this tentative agreement, the parties have stipulated, subject to
8 approval of the Court, to extend the rebuttal expert report deadline and the related cut-off for expert
9 discovery by one week;

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
11 West Marine and Watercraft, through their counsel of record, as follows:

January 25, 2013,

12 1. The deadline to submit rebuttal expert reports, currently scheduled for ~~February 15,~~
13 2013, will be extended to February 22, 2013;

February 15, 2013

14 2. The expert discovery cutoff, currently scheduled for ~~February 25, 2013~~, will be
15 extended to March 4, 2013;

16 2. The parties will apprise the Court of any further developments regarding settlement.

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18 Dated: February 12, 2013

Respectfully submitted,

19 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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21 By: /s/ Allen Ruby

22 ALLEN RUBY

23 Attorneys for Defendant

24 WATERCRAFT SUPERSTORE, INC.

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26 I, Allen Ruby, am the ECF User whose ID and password are being used to file this
27 Stipulation To Extend Expert Discovery Deadlines In Light Of Tentative Agreement Regarding
28 Settlement and [Proposed] Order. In compliance with General Order 45, X.B., I attest that the
following signatory has concurred in this filing.

1 DATED: February 12, 2013

GREENBERG TRAURIG, LLP

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By: /s/ Ian C. Ballon

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IAN C. BALLON
Attorneys for Plaintiff
WEST MARINE, INC.

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8 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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The Court does not intend to extend the deadline for hearings on dispositive motions.

10 DATED: February 12, 2013

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HON. HOWARD R. LLOYD
UNITED STATES DISTRICT COURT
MAGISTRATE JUDGE